

MEMORANDUM ENDORSED ORDER

Yuly Aronson v. Anthony Branca
07 Civ. 9405 (KMK)(GAY)

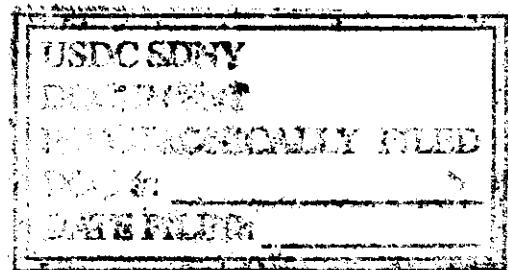
Presently before the Court is a dispute concerning what was ordered concerning the Branca tax returns at the May 27, 2008 pretrial conference. The transcript of the hearing shows that this Court directed defendant to produce for discovery as to the individual returns of the Brancas and the d/b/a returns for the accounting firm, "any schedules or profit-and-loss statements or anything attached to those returns dealing with these specific entities." (Tr. at 16). The specific entities were those discussed at said pretrial conference. Counsel for defendant was directed to provide an affidavit advising that he has reviewed the tax returns provided by the defendant and is producing all schedules of said entities, or there are none. Also, the defendant is to provide an affidavit stating that he has provided complete returns to his counsel for review. (Tr. 16-18). Plaintiff is directed to comply with the discovery ordered of him at the pretrial conference. All discovery ordered at the pretrial conference is to be provided as soon as possible and at least three (3) days prior to the deposition of the defendant. Wilful non-compliance of the ordered discovery could result in appropriate sanctions.

Said deposition shall take place no later than July 3, 2008. Counsel are directed to confer upon receipt of this Order; and agree upon a date for the deposition and exchange of said discovery.

SO ORDERED:

Dated: June 20, 2008
White Plains, New York

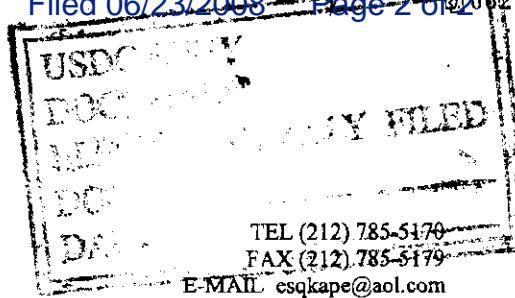

GEORGE A. YANTHIS, U.S.M.J.



MEMO ENDORSED

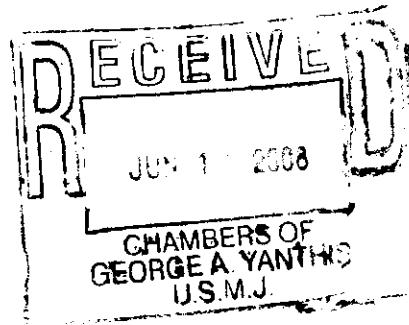
LAW OFFICE OF
BRIAN H. REIS

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NEW YORK, NEW YORK 10004



June 18, 2008

(Via Fax 914-390-4095)
The Honorable George A. Yanthis
United States Magistrate Judge
Southern District of New York
300 Quarropas St.
White Plains, NY 10601



Re: Aronson v. Branca
Index No.: 07 CIV 9405

Dear Judge Yanthis:

As you may recall, I represent the Plaintiff in this matter. Pursuant to Your Honor's most recent Order, on June 10, 2008 I requested a copy of the transcript of the hearing before Your Honor which occurred on May 27, 2008. I have not received a copy of the transcript as of this date. The transcript is required because counsel for Defendant and I are in complete disagreement as to Your Honor's Order relating to the production of Tax Returns by Defendant which is required for the deposition of Defendant and for the Hearing before Judge Karas on July 14, 2008.

I have spoken with the Clerk of the Court who has advised me that I will be receiving the tape through the transcriber sometime next week. With that in mind, I recently corresponded with my adversary, Mr. Goodrich, and asked that he advise me of his availability for the deposition of his client during the period June 30 through July 3, and that if I did not hear back from him by yesterday that I would be required to seek your assistance today. I have not heard back from Mr. Goodrich as of this time and I am concerned that unless Your Honor "So Orders" the deposition to go forward by a certain date again, that my efforts to depose Mr. Branca will be frustrated prior to the hearing before Judge Karas.

As such, I ask that you SO ORDER the Deposition of Mr. Branca to occur during the time period set forth above.

Respectfully,

Brian H. Reis